

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

Monday, July 7, 2008

President Pollitt called the monthly meeting of the Village Board to order at 6:10 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees present: Roll call vote: Petersen, Kenny, Lewis, Turner, O'Connell, Spadoni, President Pollitt

Also present: Elizabeth Accola, Skip Bliss, Chad and Pam Carper, Jim and Megan Feeney, Village Administrator Kelly Hayden-Staggs, Rob Ireland, Fire Chief Jon Kemmett, Cary Kerger, Library Director Nancy Krei, Lou Loenneke, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, CDA Executive Director Joseph McHugh, Anthony Miceli, Sharon O'Brien, Police Chief Steve Olson, Margaret Reuland, Village Attorney Dale Thorpe, Director of Public Works Craig Workman

Visitors Heard

Sharon O'Brien stated that the Village Board members should start thinking about the creation of a full-time job description for a person to maintain and act as a steward for the Village's recent landscaping and native planting projects. O'Brien stated that the Village has created during the past few years many beautiful garden and natural planting areas that will need to be maintained and watered in future years. O'Brien stated that the Village officials need to start thinking about the creation of a paid position that maybe could be added to the Department of Public Works crew. O'Brien stated that the new position could be for the summer season only and the employee could be responsible for monitoring and maintaining the parks, landscaping and natural planting areas and for pruning the trees and shrubs located on Village property. O'Brien stated that the Village Board needs to plan for the maintenance of the beautiful areas that have been created during the last few years. O'Brien stated that the new position could be filled by a seasonal employee or by a college intern or through some other funding method; however, the Village Board members should begin thinking about the options now so a proposal can be advanced through the approval process during budget planning. President Pollitt stated that the Village received a letter from Gary A. Johnson, 328 Stearns Road, dated July 7, 2008 that states the bridge on North Lakeshore Drive, near Lower Gardens Road, requires replacement. The letter states in part that the bridge "is now all steel construction and requires maintenance. It should be thoroughly scraped and sanded, re-primed and painted." Petersen stated that the Public Works Committee will consider the matter after Workman looks into the situation. O'Connell stated maintenance work on the bridge on South Lakeshore Drive at the Abbey harbor also should be considered. Workman stated that he thinks Johnson is referring to the metal hand-rail on the North Lakeshore Drive bridge, which is in bad shape. Workman stated that the maintenance work on the hand-rail is scheduled to be completed this summer, but he will check with Johnson to make sure his concerns are addressed.

Announcements

The Summer Storywagon Series Program will be held at the Fontana Village Hall on Tuesdays, July 8, 15 and 22, 2008 beginning at 10:00 am; the monthly meeting of the CDA will be held Wednesday, July 9, 2008 at 6:00 pm; an open house for the Third Avenue, Kinzie Avenue, Utility Burial, Indian Hills, Timber Trail and Harvard Avenue construction projects will be held Monday, July 14, 2008 from 5:00 to 7:00 pm; the Fontana Public Library Summer Story Time Program will be held Thursdays, July 17, 24 and 31, 2008 beginning at 10:00 am; the Village of Fontana Assessor will conduct office hours at the Fontana Village Hall on Friday, July 18, 2008, from 10:00 am to 2:00 pm; the Park Commission/Trout Unlimited Van Slyke Creek Work Day will be held Saturday, July 19, 2008 beginning at 9:00 am; the Abbey Resort will host an open house for the new Avani Spa on Thursday, July 24, 2008 from 6:00 to 8:00 pm; the Big Foot Lions Club Lobster Boil/Steak Fry will

be held Saturday, July 26, 2008, beginning at noon; the Fontana Community Church Fair will be held Saturday, July 26, 2008, from 8:00 am to 1:00 pm; the monthly meeting of the Plan Commission will be held Monday, July 28, 2008 at 5:30 pm; and the next meeting of the Joint Services Ad Hoc Committee will be held Thursday, July 31, 2008 beginning at 5:00 pm.

Approval of Minutes

O'Connell/Petersen 2nd made a MOTION to approve the minutes for the meeting held June 2, 2008, as presented, and the MOTION carried without negative vote.

Village Treasurer's Report

Petersen/O'Connell 2nd made a MOTION to accept the Treasurer's Report for May 2008 and to place it on file for the audit, and the MOTION carried without negative vote.

CDA Full Accounting Statement

The accounting statement for the TIF District was distributed.

Approval of Village and Utility Payables

Spadoni/O'Connell 2nd made a MOTION to approve the Village and Utility Payables as submitted, including a \$200 invoice for aerial photographs of the Village's Designated Mooring Area for a Lakefront and Harbor Committee project, and the MOTION carried without negative vote.

General Business/Administrator's Report – President Pollitt/Administrator Hayden-Staggs 208 Dewey Avenue Property Distribution and Tear Down

Hayden-Staggs stated that a meeting will be held at the residence to determine what items can be sold and to determine the best method to sell the items. Hayden-Staggs stated that she will provide a report on the sellable items at next month's meeting as well as an estimate on the cost to raze the residence and garage. Petersen stated that the Village should investigate the possibility of not razing the garage in order to use it for storage.

Proposal to Hire Additional Officers from Memorial Day to Labor Day to Monitor Traffic for Noise Ordinance Violations – (Visitor's Heard 6/2/08)

Hayden-Staggs stated that the agenda item was requested at last month's meeting after the Village Board received complaints about excessive motorcycle noise from Anthony Miceli, 293 Kinzie Avenue. President Pollitt stated that the Protection Committee took an initial look at the concern and determined that it would be cost prohibitive to schedule an officer to only monitor traffic noise. Hayden-Staggs stated that the Village has a generic noise ordinance that could be tweaked to address loud muffler devices on motorcycles. Chief Olson stated that he contacted the Lake Geneva Police Department and foot patrol officers are monitoring motorcycle noise as part of the other patrol duties. Spadoni stated that he would like the item referred back to the Protection Committee for further investigation. Spadoni stated that as well as addressing the increased noise pollution during the season, he would like the Protection Committee to also look at the all the seasonal noise issues as well as the non-seasonal issues. Turner stated that he agrees that the item should be referred back to the Protection Committee. Thorpe stated that there are broad discretionary measures available for the Village to use, but the Village will need a device to measure noise decibel levels.

Spadoni/Turner 2nd made a MOTION to refer the item to the Protection Committee for further investigation, and the MOTION carried without negative vote.

Storm Water Management Study Proposal – Ruckert-Mielke

The CDA Board approved the allocation of funds not to exceed \$40,000 to pay for half the cost of the storm water management study contract. The study is required to create a storm water utility district. The total cost of the study will be about \$75,000. The Village is required to fund the portion of the study for the land that is located outside the TID. President Pollitt stated that the funds are not in the budget, but they could be recouped from the storm water utility district if and when it is created. Hayden-Staggs stated that if the Village Board ends up not approving the creation of a storm water utility district, the cost to perform the study can be reallocated in the current budget.

Turner/Kenny 2nd made a MOTION to authorize the allocation of funds to pay for half of the contract cost for the storm water management study as presented, and the MOTION carried without negative vote.

Storm Water Utility District Establishment Proposal – Ruekert-Mielke

Hayden-Staggs stated that the contract to perform the administrative work required to create a storm water utility district will cost \$33,000. Spadoni stated that he wants the storm water management costs to be added to the General Fund instead of recouping the fees through user charges created in a new storm water utility district. Spadoni stated the property owners can write the expenses off their income taxes if the costs are added to the budget's General Fund and property tax bills. Spadoni stated that the negative aspects associated with creating a storm water utility district need to be explored versus the positive aspects at a public hearing. Hayden-Staggs stated that approving the study proposal contract will initiate the process of creating a storm water utility district and the process includes public meetings and hearings. Turner stated that he favors having the storm water management costs billed as user charges in a storm water utility district versus spreading them out in the General Fund and the annual tax levy. Turner stated that property owners with high assessments end of paying the majority of the tax levy, and many of the lakefront parcels do not contribute to the storm water management problems.

Petersen/O'Connell 2nd made a MOTION to approve the Storm Water Management Study Proposal as submitted, and the Roll Call vote followed:

Kenny – Yes

Lewis – Yes

Turner – Yes

O'Connell – Yes

Spadoni – Yes

President Pollitt – Yes

Petersen – Abstain

The MOTION carried on a 6-0 vote, with Trustee Petersen abstaining.

Arrowhead One Way Traffic – Back to Two Way (Tabled 6/2/08)

Hayden-Staggs stated that the residents on Arrowhead Drive were contacted and they all favor having the street reverted back to two-way traffic.

President Pollitt/Kenny 2nd made a MOTION to approve Ordinance 070708-05 regarding Arrowhead Drive, and the MOTION carried without negative vote.

Geneva Lake West Chamber of Commerce Lease Renewal

Hayden-Staggs stated that the initial two-year lease with the Geneva Lake West Chamber of Commerce expires August 11, 2008. The renewal clause of the lease calls for the lease to automatically renew for an additional one-year period unless either party notifies the other party in writing of its intention to terminate and not renew the lease agreement at least 60 days prior to the end of the term. Hayden-Staggs stated that she checked with the Village's administrative staff members and there were no concerns with the chamber leasing the office at the Village Hall. The Village Board members were in consensus that the leases should be allowed to be renewed for another year.

Proposed Agreement with Foley & Lardner, LLP for Bond Counsel Services

Hayden-Staggs stated that the proposed agreement with Foley & Lardner, LLP to provide bond counsel services will cost a minimum of \$5,000. The agreement is for services related to securing General Obligation Corporate Purpose Bonds, Series 2008.

Spadoni/Turner 2nd made a MOTION to approve the agreement as presented with Foley & Lardner, LLP to provide bond counsel services for a minimum cost of \$5,000, and the MOTION carried without negative vote.

Proposed Exchange of Golf Cart for Simplicity Tractor

Workman stated that the Department of Public Works would like authorization to exchange the Village's Simplicity tractor for a golf/utility cart that is typically leased on an annual basis by the Village. Workman stated that the department was planning to sell the tractor, but Bob Brown has

offered to exchange one of his golf/utility carts for the tractor. Workman stated that the cart is used to pick up trash bags and to perform other duties that don't require a full-sized truck. The cart uses less fuel and is more convenient to drive through the Village parks than traditional vehicles. Workman stated that the tractor is worth about \$5,000 with all of its attachments. Turner/Petersen 2nd made a MOTION to refer the proposal to the Public Works Committee for a recommendation, and the MOTION carried without negative vote.

Approve Ordinance Regarding Parking by Post Office (Tabled 12/3/07)

The Protection Committee recommended approval of the ordinance to address the parking situation in front of the U.S. Postal Service office at 185 Third Avenue; however, the item was tabled at the December 3, 2007 Village Board meeting in order to allow staff time to negotiate an easement with the owners of the Post Office building. An easement which addresses the current nonconforming parking situation has been executed so staff recommended approval of the ordinance as presented. Spadoni/Kenny 2nd made a MOTION to approve Ordinance 07-07-08-06, creating Section 74-342 of the Municipal Code regarding restricted parking by the Post Office, and the MOTION carried without negative vote.

Fourth of July Report

Hayden-Staggs stated that there were many visitors in town for the holiday weekend and receipts were still being processed. Hayden-Staggs stated that the Village staff members who helped and Trustee O'Connell and President Pollitt, as well as the lakefront employees, all did a great job under stressful conditions. Hayden-Staggs stated that she will prepare and distribute a profit and loss statement for the weekend as soon as all the receipts are processed.

Software Installation Update

Hayden-Staggs stated that a new server has been installed for the new utility and financial software system. The new programs will be installed in August, 2008.

Protection Committee – President Pollitt

Operator's License Applications Filed by Alyshia R. Kinas and Justen A. Kurth (Abbey Resort), Cory W. Anderson (Abbey Resort and Gordy's), Erika R. Palcic, Alyssa A. Rostkowski and Jacey Wuhrman (Abbey Springs), Kevin M. Racky (Big Foot Lions Club – Temporary), Patrick B. Arnold, Cris W. Dahl, Jason G. Dixon, Jeri Graunke, Edward H. Lubawski and Mary C. Stich (Gordy's), Zachariah W. Zubow (Park Place), and Eric K. Semyck, Crystal Smith, and Kimberly A. Randall (Lake Geneva Yacht Club)

The required background checks have not yet been completed for seven of the applicants, but the other 10 applications were recommended for approval. If there are any concerns noted in the background checks for the seven applicants, they will be referred to the Protection Committee for a recommendation.

Petersen/Kenny 2nd made a MOTION to approve the Operator's License applications filed by Alyshia R. Kinas, Cory W. Anderson, Erika R. Palcic, Kevin M. Racky, Patrick B. Arnold, Cris W. Dahl, Jeri Graunke, Edward H. Lubawski, Zachariah W. Zubow and Kimberly A. Randall, and the MOTION carried without negative vote.

President Pollitt/Spadoni 2nd made a MOTION to approve the issuance of Operator's Licenses to Justen A. Kurth, Alyssa A. Rostkowski, Jacey Wuhrman, Jason G. Dixon, Eric K. Semyck, Mary C. Stich and Crystal Smith with the conditions that the applicants successfully complete the required background check and that the application process is completed. The MOTION carried without negative vote.

Chapter 54 Ordinance Modification

Hayden-Staggs stated that the final draft of the proposed amendments to Section 54-161 (5), Parking lot fees, and Section 54-165 (a), Parking and mooring of watercraft at municipal pier regulated, was reviewed by the Protection Committee and approval was recommended.

Spadoni/Petersen 2nd made a MOTION to approve Ordinance 070708-01 repealing and recreating Section 54-161 (5) (4), (5) and (6) and Section 54-165 (a) as presented, and the MOTION carried without negative vote.

Fire Lane Ordinance

The proposed ordinance that authorizes the fire chief to establish fire lanes as needed and allows the police department to enforce the parking restriction was reviewed by the Protection Committee and approval was recommended. In response to a question from Turner, Spadoni stated that the proposed ordinance allows the fire chief to establish fire lanes as needed for new businesses and for requested areas. Fire Chief Jon Kemmett stated that the proposed ordinance was initiated when requests for fire lane enforcement were made by the Abbey Resort and at the Abbey Ridge Condominiums. Chief Kemmett stated that for the most part, the Village of Fontana does not require the establishment of more fire lanes, but the ordinance is required to accommodate the current requests and to have a mechanism in place to address future developments.

Spadoni/Kenny 2nd made a MOTION to approve Ordinance 070708-02 creating Section 34-42 of the Municipal Code regarding the creation of fire lanes as presented, and the MOTION carried without negative vote.

High Street Parking Ordinance

The Protection Committee recommended approval of the ordinance amendment to Section 74-281 regarding the establishment of a no parking zone on the east side of High Street from the intersection with Third Avenue to the intersection with Kinzie Avenue. President Pollitt stated that the residents on High Street support the proposal. Petersen stated that historically there was no parking allowed on High Street. A resident who lives on the west side of High Street was directed to meet with Hayden-Staggs and Workman to address his parking concerns.

Spadoni/Petersen 2nd made a MOTION to approve Ordinance 070708-03 amending Section 74-281 of the Municipal Code to establish a no parking zone on the east side of High Street from the intersection with Third Avenue to the intersection with Kinzie Avenue, and the MOTION carried without negative vote.

Approval of Grant List

Hayden-Staggs stated that the Fire Department was seeking authorization to apply for a list of grants. Chief Kemmett stated that the department annually applies for grants through the Fire Axe program, the federal Commercial Equipment Direct Assistance Program (CEDAP) and the Firemen's Fund Insurance grant program. Hayden-Staggs stated that the Village Board recently enacted the policy that all grant applications must be approved by the Village Board prior to submission and she is concerned the proposal circumvents that action. Hayden-Staggs stated that the Village Board should know what equipment or what program grant applications are being applied for prior to approval. Spadoni stated that the Protection Committee received information at its monthly meeting that indicates the federal CEDAP grant is for hydraulic rescue tools and a search and rescue camera. There was no information presented on what equipment would be sought for the Fire Axe program grant or the Firemen's Fund Insurance grant.

Turner/Petersen 2nd made a MOTION to approve the submission of the federal CEDAP Grant Application for a search and rescue camera and for hydraulic rescue tools, and the MOTION carried without negative vote.

Proposed Amendments to Fire Department Ordinance

Chief Kemmett stated that the proposed amendments to Sections 34-76, 34-77, 34-78, 34-79, 34-80, 34-81, 34-82, 34-83, 34-84, 34-87, 34-88, 34-89, 34-91, 34-92, 34-93, 34-94 and 39-95 of the Municipal Code clean up some language discrepancies and makes the Fire Department constitution and bylaws politically correct. The amendments also reference the recently adopted Wisconsin version of the Mutual Aid Box Alarm System (MABAS) contract. The proposed amendments were reviewed by the Protection Committee and approval was recommended.

Turner/Petersen 2nd made a MOTION to approve Ordinance 070708-04 amending Sections 34-76, 34-77, 34-78, 34-79, 34-80, 34-81, 34-82, 34-83, 34-84, 34-87, 34-88, 34-89, 34-91, 34-92, 34-93, 34-94 and 39-95 of the Municipal Code, the Fire Department Constitution and Bylaws, as recommended, and the MOTION carried without negative vote.

Plan Commission – Trustee Spadoni

Amended Plan for Abbey Resort's Spa Renovation Project

Spadoni stated that an amended plan for the spa renovation was submitted and approved by the state. The Plan Commission recommended approval of the plan as presented. The amended plan eliminates a canopy that was going to be erected at the VIP suite because the area was intended for sunbathing. Also, a new exterior canopy at the north side entrance that was initially planned to be 30 feet in length was reduced to 15 feet in length in the amended plan. Kerger stated at the Plan Commission meeting held June 30, 2008 that the exterior canopy was reduced to diminish the density in the small entrance area. The style and materials of the new canopy will be the same as in the initially approved plan, the canopy has just been scaled back in total size.

Spadoni/President Pollitt 2nd made a MOTION to approve the amended plan for the Abbey Resort spa renovation as presented, and to approve an exhibit amendment to the TID Development Agreement that references the amended plan. The MOTION carried without negative vote.

Mill Street Retail Building PIP Amendment for Signage Plan

The amendment will provide for the current and future tenants of the retail building to apply for building permits to erect exterior signage at the site. Individual tenants will still have to get building permits, but the amendment will establish the allowable locations and dimensions for signage. The Plan Commission recommended approval of the PIP Amendment as presented.

Spadoni/Kenny 2nd made a MOTION to approve Resolution 070708-01 and the Precise Implementation Plan amendment for the Mill Street Retail Building as recommended, and the MOTION carried without negative vote.

Announcement of Lakefront Zoning Ordinance Amendment 18-17, 18-27, and 18-80 Public Hearing for July 28, 2008 at 5:30 pm

The proposed amendments to Sections 18.80 (c)(10), 18.17 and 18.27 (b)(4) that address the guesthouse versus caretaker's quarters concerns in the Municipal Code will be presented at a public hearing before the Plan Commission on Monday, July 28, 2008. The proposed amendments would not prohibit the development of a second residence on lakefront lots, they would help clarify the code. The proposed amendments also would allow for a better opportunity for lakefront parcel owners to develop accessory living quarters because they would not need to meet residential density factors if the proposed living quarters are fully contained in a principal structure. With regard to the concern of second houses being bigger than the principal structure, the proposed amendments control size and regulate growth without eliminating current property rights. The proposed amendments would eliminate the requirement for property owners to prove who would be living in a structure, so the building inspector would not have to check to see who is employed full time as a caretaker and who is not; they would allow owners of parcels that don't meet the density standards to develop accessory living quarters if the quarters are contained in the principal structure; and they would still allow for owners of lakefront parcels to develop an additional principal structure if the lot meets the density standard – which is the same as the current code.

CDA – Trustee Turner

TID No. 1: Lakefront Redevelopment – Appoint Village Board & Two Citizen Representatives for Blue Ribbon Committee to Plan Proposed Waterfront Activity & Tourism Center, along with Representatives from Parks, Lakefront and Harbor, CDA, and Plan Commission

Turner stated that the CDA appointed Cindy Wilson, the Park Commission appointed Dan Green and Nancy Krei as an alternate, the Plan Commission appointed Derek D'Auria and Tom McGreevy as an alternate, and the Lakefront and Harbor Committee appointed Rick Pappas to the Blue Ribbon Committee that will draft the proposal for a waterfront activity and tourism center to replace the current marina building. Turner stated that he was recommending Lou Loenneke and Susan Geye, who recently moved back into the Village, as the citizen representatives on the committee. Following discussion, the Village Board members were in consensus that the Trustee Lewis should be appointed as the Village Board representative on the committee.

Spadoni/Turner 2nd made a MOTION to approve the formation of a Blue Ribbon Committee to plan the proposed waterfront activity and tourism center building, and to approve the committee members, Cindy Wilson, Dan Green, Derek D'Auria, Rick Pappas, Lou Loenneke, Susan Geye and Diane Lewis, and alternates Nancy Krei and Tom McGreevy. The MOTION carried without negative vote.

Fontana/Walworth Pedestrian Path Update

McHugh stated that Foth Infrastructure & Environment, LLC prepared a cost analysis outlining five alternatives for the joint pedestrian path plan. The cost range of the alternative plans is from \$273,579 to \$396,491, and options range from using a Modular Block Retaining Wall, a Pipe and Cover method, a boardwalk, or a boardwalk with a wall and fill hybrid option for a 10-foot or 14-foot path. McHugh stated that the Foth study was being presented to the Village Board for informational purposes that night, and the CDA Board will be determining exactly how much funds to allocate to the project. McHugh stated that the study also will be presented to the Village of Walworth Board of Trustees to determine Walworth's level of funding. The matter was referred to the CDA Board for a recommendation.

Duck Pond Landscaping Contract Pay Request

Turner stated that PTS Landscaping Inc. submitted a pay request totaling \$52,769 for the Duck Pond Recreation Area Phase 1 Landscaping contract. The request was reviewed by the Village engineer and approval was recommended.

Spadoni/Petersen 2nd made a MOTION to approve the pay request totaling \$52,769 for the Duck Pond Recreation Area Phase 1 Landscaping contract as submitted by PTS Landscaping, Inc., contingent upon approval by the CDA Board, and the MOTION carried without negative vote.

Dade and Wild Duck Road Contract Pay Request

Turner stated that Mann Brothers Inc. submitted a pay request totaling \$48,320 for the Dade and Wild Duck Road reconstruction contract. The request was reviewed by the Village engineer and approval was recommended.

Turner/Kenny 2nd made a MOTION to approve the pay request totaling \$52,769 for the Duck Pond Recreation Area Phase 1 Landscaping contract as submitted by Mann Brothers, Inc., contingent upon approval by the CDA Board, and the MOTION carried without negative vote.

Porter Court Plaza Contract Pay Request

Turner stated that the Porter Court Plaza project is almost complete and the new area looks great. Mann Brothers, Inc., submitted a pay request totaling \$71,678 for the Porter Court Plaza contract. The request was reviewed by the Village engineer and approval was recommended.

Turner/Spadoni 2nd made a MOTION to approve the pay request totaling \$71,678 for the Porter Court Plaza contract as submitted by Mann Brothers, Inc., contingent upon approval by the CDA Board, and the MOTION carried without negative vote.

Utility Burial

McHugh stated that Ruekert-Mielke prepared a cost summary for the utility burial project that incorporates estimates from all the utility companies and road reconstruction costs from Mann Brothers, Inc. The total cost estimate for the Third Avenue reconstruction area and for the burial of utility lines in the primary area and on Bayview Drive is \$2,586,825. The approved budget for the project is \$2.5 million. McHugh stated that if the Bayview Drive portion of the utility burial portion of the project is eliminated, the project would be at the approved budget. Turner stated that he would suggest burying all the utility lines at the same time. Turner stated that the Village can work with the project engineer to save money in other areas of project plan and still meet the approved budget. Petersen stated that he agrees with Turner and the Village should take care of burying the utility lines at the lakefront all at the same time to save money and keep the construction impact at a minimum. Petersen stated that the Village Board can figure out the budget situation as the project is carried out.

Turner/O'Connell 2nd made a MOTION to approve the entire utility burial plan including the Bayview Drive area and to direct staff to write a letter to Ruekert-Mielke to notify the firm of the decision. The MOTION carried without negative vote.

Beach Fence – Century Fence

Turner stated that the new fence has been installed and it looks great. Hayden-Staggs stated that there are some issues regarding the fence installation contractor not following the term of the contract. Hayden-Staggs stated that the fence was installed using the stepping method in some areas and it was supposed to be installed with the top railings of each section leveled off. Hayden-Staggs stated that there are also unresolved welding issues that need to be worked out before the Village approves any pay requests for the project. Workman stated that the unresolved issues are the reason that no pay request has been brought forward for the project.

Public Works – Trustee Petersen

Change Compost Hours to Monday – Friday 7:00 am – 3:30 pm, Saturday 8:00 am – 12:00 pm, Sunday – Closed

Workman stated that he would like the Village Board to authorize the change in the open hours for residents to drop off material for the compost area at the Duck Pond. The area currently is open seven days a week and there are unacceptable items being dumped in the area when it is not monitored. Workman stated that concrete and other material not suitable for compost has to be disposed by the Village when it is dumped in the compost area. Workman stated that the proposed open hours mimic the Department of Public Works crew working hours, so the gate could be closed when the last DPW employee leaves for the day. Lou Loenneke stated that he is only able to dump yard waste at the Duck Pond on Sundays and the change in the hours would make the compost area not accessible for residents who work during the weekdays and on Saturday mornings. Hayden-Staggs stated that residents would have to make plans according to the open hours, much like working people have to plan accordingly for banking items. Kenny stated that he agrees with Loenneke and he has to use the compost area on weekends because of his personal work schedule.

Petersen/President Pollitt 2nd made a MOTION to approve the change in the compost area open hours as presented, and the Roll Call vote followed:

Lewis – No

Turner – No

O’Connell – Yes

Spadoni – No

President Pollitt – No

Petersen – Yes

Kenny – No

The MOTION failed on a 2-5 vote.

Village Engineer Consulting for Private Subdivisions

Workman stated that there is a conflict of interest clause in the Village’s contract with Ruckert-Mielke that states the firm may not work for Village residents or for developers of projects located in the Village. Workman stated that the firm has received inquiries from Club Unique and from Glenwood Springs Association to provide engineering services. Thorpe stated that as long as the engineering work is not for proposed new projects or new roads, and it is just for redesign or improvement projects, there would be no conflict of interest.

Turner/Petersen 2nd made a MOTION to allow Ruckert-Mielke to provide private engineering services for Village residents on a case-by-case basis, and to authorize Ruckert-Mielke to work for Glenwood Springs on the road reconstruction project. The MOTION carried without negative vote. President Pollitt abstained because he owns property in the Glenwood Springs Subdivision.

Harvard Ave Bid Results and Award

Workman stated that the low bid for the Harvard Avenue reconstruction project came in \$60,000 over the estimated budget. Wanasek Corporation submitted the low bid at \$220,820, and the budget for the project was approved at \$160,000. Globe Contractors, Inc. submitted a bid of \$222,000; Odling Construction, Inc., submitted a bid of \$287,200; and Mann Brothers, Inc. submitted a bid of \$292,620. The Village Board was in consensus following discussion that the low bid should be approved and if the project goes over budget, the Board will find the funds in other areas of the current budget.

Turner/Petersen 2nd made a MOTION to approve the low bid of \$220,820 submitted by Wanasek Corporation for the Harvard Avenue reconstruction project, and the MOTION carried without negative vote. President Pollitt abstained because he owns property in the Glenwood Springs Subdivision.

Project Updates

Workman stated that the majority of work on the Dade and Wild Duck Road, the Duck Pond Landscaping and the Porter Court Plaza projects is completed and there are only minor items left.

Park Commission – Trustee Lewis

Accept Resignation of Dawn Sammons/Appoint New Member

The Village Board has not yet officially approved the resignation of Park Commission member Dawn Sammons and President Pollitt is still seeking a resident to replace her. Petersen/President Pollitt 2nd made a MOTION to approve the resignation of Dawn Sammons from the Park Commission, and the MOTION carried without negative vote.

Updates

Pig in the Park, Saturday, August 30: Hayden-Staggs stated that planning is continuing on the fund-raising event for the Little Foot Park Playground renovation project.

Shore Path Improvements: Workman stated that the Department of Public Works crew members will install the new gravel sidewalk portions by mid-July, at which time the landscaping plants will be put in by members of the Park Commission.

French Family Donation, Large Doll House: The Park Commission approved a motion to accept the donation of a large doll house from the French family, to have the house erected in the Hildebrand Conservancy trail entrance area off Mill Street with the conditions that a site can be determined and that the house fits in properly at the site, and to direct the family to have the house painted dark brown and green to match the setting of the Mill Street park entrance area. Following discussion, the Village Board members were in consensus that the Mill Street park entrance area is not the best location for the house.

Turner/Lewis 2nd made a MOTION to refer the doll house location issue back to the Park Commission to determine a different location other than the Mill Street park entrance area, and the MOTION carried without negative vote.

Mill House Pavilion: Hayden-Staggs stated that the foundation and floor for the new pavilion have been completed and the water line for a yard hydrant has been installed. Hayden-Staggs stated that local contractor Stan Fairchild notified the Village that he has quit and will not be constructing the pavilion structure. Hayden-Staggs stated that the Village is seeking another contractor for complete the project.

Summer Breeze-Back at Lakefront: Hayden-Staggs stated that the windsurfer statue has been remounted at the lakefront adjacent to the beach house entrance. Tom Koch restored the foundation and the statute has been shifted slightly so the windsurfer's face is facing toward the shore.

F/W WPCC – Trustee Petersen

Linn Township's Involvement with Sewer Plant (Tabled 6/2/08)

Petersen stated that the Village Board responded last year to the Linn Township Sanitary District request to be serviced by the Fontana/Walworth Water Pollution Control Commission's service area and that position has not changed. At last month's meeting it was stated that the Linn Sanitary District has been in existence for 40 to 45 years and all of the residences in the district are still being serviced by private septic systems. Petersen stated that there is some capacity still available at the wastewater treatment facility, and the villages could be good neighbors by working with the Linn Sanitary District; however, the current arrangement is working very well and the proposal would be very expensive to implement.

Petersen/President Pollitt 2nd made a MOTION to reaffirm the Village Board's position of last year that the Fontana/Walworth Water Pollution Control Commission is not interested at this time in expanding the service area to include properties in the Linn Sanitary District, and the MOTION carried without negative vote.

Lakefront and Harbor – Trustee O'Connell

Skip Bliss Riprap Work and Beach Enhancement

O'Connell stated that the proposal to enhance the current riprap at the Bliss residence at 644 South Lakeshore Drive was tabled by the Lakefront and Harbor Committee until the required Riprap Repair or Replacement application was filed with the Wisconsin Department of Natural Resources and a drawing of the proposal was filed with the village. O'Connell stated that the Village received on July 1, 1008 a copy of the approved Wisconsin DNR application from DNR Water Specialist Pam Schense. The application includes a drawing of the riprap area and project specification. O'Connell stated that since the project is to replace the existing riprap, Lakefront and Harbor Committee action is not necessary for the Village Board to approve the project. The applicant will still have to obtain a Village of Fontana Building Permit before the project is commenced.

O'Connell/Petersen 2nd made a MOTION to approve the riprap work and beach enhancement project for the Sidney H. Bliss Jr. residence at 644 South Lakeshore Drive as submitted, and the MOTION carried without negative vote.

Updates

DNR Max Launch Size: Hayden-Staggs stated that the Village has not received any further communication from the Wisconsin DNR following the initial inquiry initiated by a complaint regarding the Village's 30-foot maximum boat length regulation for the municipal launch. Hayden-Staggs stated that she submitted the information requested by the DNR and she will update the Village Board if and when the Village is contacted by the DNR.

O'Halleran, DNR Application: Hayden-Staggs stated that the Village received from the O'Hallerans a copy of the application they filed with the Wisconsin DNR for the riprap work. Hayden-Staggs stated that the application will be referred to the Lakefront and Harbor Committee because it proposes new riprap, not the replacement of existing riprap. Hayden-Staggs stated that DNR Water Specialist Pam Schense will be contacted with regard to the Village's portion of the lakefront property and the landscaping work will be tied together with the riprap work. Hayden-Staggs stated that the project will be back before the Village Board for final approval at a future meeting.

GLLEA – President Pollitt

Update

President Pollitt stated that the next meeting of the Board of Directors will be held next week and there is nothing new to report.

Joint Services Ad Hoc Committee

Update, Meeting July 31, 2008 at 5:00 pm

Hayden-Staggs stated the next meeting of the Ad Hoc Committee will be held Thursday, July 31, 2008.

Joint Municipal Court Agreement – DRAFT

Hayden-Staggs stated that the committee reviewed the draft municipal court consolidation agreement and the next step would be for the Village attorneys to review the document before it is brought back to the committee for further review. Thorpe stated that he has worked on many municipal court consolidated service agreements that could be used for models.

Petersen/Spadoni 2nd made a MOTION to refer the draft municipal court consolidation agreement to Village Attorney Dale Thorpe for review, and the MOTION carried without negative vote.

Finance – President Pollitt

Cost Recovery Policy Update

President Pollitt stated that the Finance Committee is looking into collection service options for past due cost recovery invoices.

Future Bonding Update

President Pollitt stated that the Finance Committee will be pursuing the bonding called for in the current budget.

Pending Items for Future Agendas

1. Fontana Fen Property Line Delineation

Adjournment

Spadoni/Tuner 2nd made a MOTION to adjourn at 7:55 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the Village Board, the official minutes will be kept on file at the Village Hall.

APPROVED: 8/4/08